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M. ROBERT KESTENBAUM, LLC  
PATENT AND TRADEMARK MATTERS

## FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Examiner Clark Dexter	M. Robert Kestenbaum
COMPANY:	DATE:
Commissioner for Patents	12/8/2006
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
(703) 871-9306	8
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
571-272-4505	(MM) 53 928
RE:	YOUR REFERENCE NUMBER:
Response to Misc. Action of 8/10/2006	09/551,252

## NOTES/COMMENTS:


Dear Examiner Dexter:

I am faxing a response to the Miscellaneous Action mailed August 10, 2006.

Further to our previous discussions, we are faxing a Response to Miscellaneous Action, which we believe fully answers your question regarding how the ejector operates and cooperates with the cutter, and how it ejects a workpiece. We respectfully believe that this submission fully responds to your questions. This submission includes a PTO 2038 authorizing charging a credit card for the prescribed \$510 small entity three month extension.

Thank you in advance for considering this submission.

Sincerely,

  
M. Robert Kestenbaum  
Reg. No. 20,430

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: US Patent Application 09/551,252  
Filed April 18, 2000  
Applicant Brodbeck  
Art Unit 3724  
Examiner Clark F. Dexter  
Telephone 571-272-5414  
Group's Formal Fax 703-872-9306  
Attorney Docket (MM) 53 928

Mail Stop - Response  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

## Response to Miscellaneous Action

Dear Examiner Dexter:

This formally responds to the Miscellaneous Action mailed August 29, 2006.

## Remarks

Rejections under 35 USC 112

In the Miscellaneous Action, the Examiner maintains that the response of May 22, 2006 is not fully responsive to the prior Office Action. Specifically, the Miscellaneous Action maintains that it is not clear how the ejector operates, particularly as to how it cooperates with the cutter and how it ejects a workpiece. The Examiner requires that Applicant should explain in detail how the ejector operates and indicate where support for such explanation can be found in the original disclosure. As per the Examiner's suggestion, Applicant discussed how the ejector operates with the Examiner. Following the discussion, the Examiner issued an Interview Summary in which the Examiner maintained that it is still unclear to him how the ejector operates, in particular, how it operates with the cutter and how it ejects a workpiece.

Brodbeck (MM) 53 928 09/551,252  
Response to Miscellaneous Action mailed 8/10/2006  
Submitted on December 9, 2006 by facsimile transmission with certification

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